

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL ESTRADA, INDIVIDUALLY AND ON BEHALF OF OTHERS SIMILARLY SITUATED	:	CIVIL ACTION
	:	
	:	
	:	
v.	:	NO. 12-604
	:	
MAGUIRE INSURANCE AGENCY, INC.	:	

ORDER

AND NOW, this 1st day of November, 2013, upon consideration of “Plaintiff’s Rule 37 Motion to Compel” (Doc. No. 37), the response thereto, and following oral argument, it is hereby **ORDERED** that Plaintiff’s motion to compel is **GRANTED** in part and **DENIED** in part as follows:

— Plaintiff’s motion is granted only to the extent that additional limited discovery will be permitted as follows: Defendant shall provide Plaintiff with the names of the non-supervisory employees categorized under the Fast Track Auto Examiner Group found on the claims metrics report attached as Exhibit 1 to the deposition of William Benecke. Defendant shall also provide Plaintiff with a brief job description for these employees, including their duties and day to day activities, as well as case specific examples of how these employees exercise discretion in the course of their employment. Defendant shall also produce any and all documents that support these specific examples of discretion. Defendants shall produce this additional limited discovery on or before December 2, 2013. Plaintiff’s motion is denied in all other respects.

— If, upon receipt of this additional limited discovery, Plaintiff wishes to supplement his motion for conditional certification, or motion for summary judgment, he may submit supplemental briefs not to exceed ten (10) pages on or before December 12, 2013. Any response from Defendant (also limited to ten (10) pages) shall be filed on or before December 23, 2013.

BY THE COURT:

/s/ Mitchell S. Goldberg

Mitchell S. Goldberg, J.